

## CONGRESS OF LOCAL AND REGIONAL AUTHORITIES OF EUROPE

### **Recommendation 58 (1999)<sup>1</sup> on the crisis in Kosovo**

*(Extract from the Official Gazette of the Council of Europe  
– June 1999)*

The Congress,

1. Reiterating its revulsion at, and condemnation of, the policy of systematic ethnic cleansing pursued in Kosovo and, in particular, the killing of innocent civilians, the kidnapping and rape of women, the destruction of villages and whole sections of towns and the expulsion of hundreds of thousands of people to neighbouring countries, accompanied by the confiscation of their identity documents and the destruction of the corresponding registers;
2. Recalling the proceedings initiated against those responsible and the perpetrators of these war crimes by the International Criminal Tribunal for the Former Yugoslavia;
3. Expressing its sympathy for, and solidarity with, all the innocent civilian victims of the Kosovo conflict, both within Kosovo itself and in the rest of the Federal Republic of Yugoslavia;
4. Also expressing its great concern about the grave problems facing Kosovo's neighbours: the other regions of the Federal Republic of Yugoslavia and also Albania and "the Former Yugoslav Republic of Macedonia", which have had to cope both with the task of taking in deportees and refugees and with serious damage to their economies;
5. Notes that the local authorities in these countries and regions bordering on Kosovo – which have been visited by members of the Congress – have had to assume burdens extending far beyond their resources;
6. Welcomes in this respect the solidarity shown by the international community and, in particular, the towns and regions that have already responded to the Congress' first appeal, as well as the commitment made by the Council of Europe Social Development Fund;
7. Accordingly urges European towns and regions to respond even more massively to the appeal launched by the Congress in order to develop a vast movement of solidarity reflected, in particular, in lasting partnership with the municipalities that are bearing the greatest burdens in terms of taking in refugees and persons expelled from Kosovo;
8. Drawing attention to Recommendation 44 (1998) on the crisis in Kosovo, whose key provisions on a special

autonomous status for Kosovo within the Federal Republic of Yugoslavia are still entirely valid today;

9. Welcoming the effective co-operation established with the Commission for Democracy through Law (Venice Commission) on the draft special status for Kosovo, which led to the Congress being indirectly consulted by the Contact Group on Yugoslavia in connection with the draft "constitution" submitted to the Rambouillet Conference;

10. Recalling the various recommendations of the Parliamentary Assembly on Kosovo and, in particular, drawing attention to the last two approved and adopted on 28 April 1999, namely Recommendations 1403 and 1404, and to the press release issued by the President of the Parliamentary Assembly on 11 June 1999, which referred to local democracy as one of the fields of excellence in which the Council of Europe might make a contribution in Kosovo;

11. Recalling the Resolution on Kosovo adopted on 3 June by the Committee of the Regions of the European Union, calling for a vast movement of solidarity through regional and local partnerships;

12. Welcomes the fact that the diplomatic efforts conducted primarily by the European Union and the Russian Federation have produced a plan for the cessation of the conflict, involving the withdrawal of the Serb and Yugoslav armed forces from Kosovo, the demilitarisation of the KLA, the ending of the NATO air-strikes and the deployment of an international peacekeeping force under the auspices of the United Nations, capable of ensuring the effective return of the displaced persons and refugees, as well as respect for human rights and the safety of persons and property in Kosovo;

13. Noting with great interest that the Resolution No. 1244 (1999) passed by the Security Council of the United Nations on 10 June 1999 authorises the Secretary General of the United Nations "with the assistance of relevant international organisations, to establish an international civil presence in Kosovo in order to provide an interim administration [...] under which the people of Kosovo can enjoy substantial autonomy within the Federal Republic of Yugoslavia" and that the main responsibilities of the international civil presence would include:

- a. "establishing and overseeing the development of provisional democratic self-governing institutions to ensure conditions for a peaceful and normal life for all inhabitants of Kosovo";
- b. "performing basic [...] administrative functions where and as long as required";
- c. "promoting the establishment, pending a final settlement, of substantial autonomy and self-government in Kosovo, taking full account of annexe 2 and of the Rambouillet accords (S/1999/648)";
- d. "transferring, as these [above-mentioned] institutions are established, its administrative responsibilities";

14. Having taken note, with satisfaction, of the Stability Pact for South-Eastern Europe, approved on 10 June 1999 by the Conference on the Stability of South-Eastern

1. Debated by the Congress and adopted on 17 June 1999, 3rd sitting (see doc. CG (6) 13 revised, draft Recommendation, presented by Mr L. Cuatrecasas and Mr A. Saltykov, Rapporteurs).

Europe, organised at the initiative of the presidency of the European Union ;

15. While noting that this pact makes no precise reference to local self-government, observes with interest that it provides for the Council of Europe to play a substantial role, notably with regard to democratic institutions ;

16. Considers that the return of lasting peace in South-East Europe is intimately dependent on the establishment of real democracy on the solid foundations of local and regional self-government, in accordance with the Council of Europe's principles, in all the countries of the region, including the Federal Republic of Yugoslavia ;

17. Congratulates the Committee of Ministers of the Council of Europe on having rapidly adopted at its meeting in Budapest on 7 May a "Stability Programme for South-East Europe – a Council of Europe contribution", which aims to make available to the region the Council of Europe's particular expertise, including the development of local democracy, especially through the action of the Congress ;

18. Welcomes in this connection the initiative already taken by the Committee of Ministers in consulting the representatives of the Congress on its action to help the refugees from Kosovo, which augurs well for active participation by the Congress in the programme ;

19. The Congress declares that it is ready and prepared :  
– to co-operate immediately in setting up the "transitional administration" provided for in the United Nations Security Council Resolution, with a view to the gradual establishment of substantial local and regional autonomy in Kosovo within the Federal Republic of Yugoslavia ;  
– to play a full part in the Council of Europe's Stability Programme for South-East Europe ;  
– to take part in a Council of Europe contribution to Table No. 1 of the EU-initiated Stability Pact for South-Eastern Europe, concerning democratisation and human rights ;

20. Asks the Committee of Ministers of the Council of Europe to provide a special budget for its Stability

Programme for South-East Europe and its contribution to the Stability Pact initiated by the European Union by using the unexpended balances for 1998 and then 1999, as recommended by the Parliamentary Assembly, and conducting negotiations with the European Union on the system of joint programmes, in which the local and regional democracy dimension should be strengthened ;

21. Again appeals to all the municipalities, towns and regions in Council of Europe member countries and to their national and European associations to step up their efforts in the form of :

– partnerships with the other regions of the Federal Republic of Yugoslavia, Albania and "the former Yugoslav Republic of Macedonia" where deportees and refugees from Kosovo are staying ;

– assistance for the Congress' action in Kosovo, in order to make a practical contribution to the reconstruction of democratic local and regional structures that guarantee respect for multicultural life inter alia through partnerships that might take the form, in due course, of Local Democracy Agencies or payments into the special account opened for that purpose at the Council of Europe ;

22. Instructs its Bureau, rapporteurs and Secretariat to do everything in their powers to enable the Congress to make a practical contribution to the reconstruction of local and regional democracy in Kosovo in particular and in the Federal Republic of Yugoslavia as a whole (Serbia and Montenegro, not forgetting the Voivodina region and the problems in Sandjak) ;

23. Declares its willingness to continue co-operating, in due course and under appropriate conditions, with the Venice Commission on the elaboration of a special status for Kosovo based on the principles set out in Congress Recommendation 44 (1998) ;

24. Insists once again on the need to give Kosovo back substantial self-government within the framework of the sovereignty and territorial integrity of the Federal Republic of Yugoslavia – comparable to that taken away from it in 1989 – while safeguarding Kosovo's territorial integrity and multicultural character.